

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Andres Glenn<sup>1</sup>,

Plaintiff,

vs.

Rosel the cook at twilight manner  
and Weza last name unnone,

Defendants.

Civil Action No. 3:20-cv-1509-CMC

**ORDER**

This matter is before the court on Plaintiff's Complaint pursuant to 42 U.S.C. § 1983 filed April 14, 2020. ECF No. 1. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), D.S.C., the matter was referred to United States Magistrate Judge Shiva V. Hodges for pre-trial proceedings. On March 9, 2020, the Magistrate Judge entered two orders, citing deficiencies in Plaintiff's Complaint and allowing an opportunity for amendment and directing Plaintiff to provide proper service documents. ECF Nos. 3, 4. Plaintiff did not file a response. On May 18, 2020, the Magistrate Judge issued a Report and Recommendation ("Report") recommending this matter be summarily dismissed without prejudice and without issuance and service of process. ECF No.7. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff has failed to file a response, and the time to do so has expired.

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<sup>1</sup> Although Plaintiff listed a person identified as "Jean last name unnone" as an additional plaintiff, there is no indication that this person consented to or was aware of inclusion on the complaint, and there is no signature. Therefore, the court does not construe this person as a plaintiff.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

After a review of the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error and agrees with the Report’s recommendation this matter should be dismissed. Plaintiff has failed to prosecute his case and has failed to establish subject matter jurisdiction in the federal court. Accordingly, the court adopts the Report by reference in this Order. This matter is dismissed without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

Columbia, South Carolina  
June 16, 2020

s/Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
Senior United States District Judge